

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
EMERALD PACIFIC TRUCKING, INC.)
To Place Operating Authority on)
Inactive Status.)

DOCKET NO. 2006-0096

ORDER NO. 23363

Filed April 12, 2007
At 11 o'clock A.M.

for Brodie K. Kane
Chief Clerk of the Commission

RECEIVED

2007 APR 13 A 8:29

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

ATTEST: A True Copy
for KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

Brodie K. Kane

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
EMERALD PACIFIC TRUCKING, INC.)
)
To Place Operating Authority on)
Inactive Status.)
_____)

Docket No. 2006-0096
Order No. 23363

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 5137-C ("Certificate No. 5137-C"), held by EMERALD PACIFIC TRUCKING, INC. ("Petitioner"), on inactive status for an additional twelve (12)-month period, from May 24, 2007 to May 23, 2008.

I.

Request to Extend Inactive Status

On April 2, 2007, Petitioner filed a letter requesting that the inactive status of its Certificate No. 5137-C be extended for an additional year. By Order No. 22488, filed on May 24, 2006, Certificate No. 5137-C was placed on inactive status until May 23, 2007.

The commission notes that pursuant to Hawaii Revised Statutes § 271-19(b), the commission may grant inactive status for a cumulative period not to exceed two (2) years over the life of the certificate. We find that there is good cause to grant Petitioner's request for an extension of its inactive status for

an additional year. We conclude that Petitioner's request should be granted.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 5137-C is placed on inactive status for an additional twelve (12)-month period, from May 24, 2007 to May 23, 2008.

2. Pursuant to HRS § 271-19(b), if Certificate No. 5137-C is not reactivated prior to the expiration of the period of inactivity, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 5137-C, along with the filing of all documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 5137-C shall be revoked.

3. Petitioner shall not transfer its inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

DONE at Honolulu, Hawaii APR 12 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

APPROVED AS TO FORM:

Jodi Yi
for Stacey Kawasaki Djou
Commission Counsel

2006-0096.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23363 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

EMERALD PACIFIC TRUCKING, INC.
c/o TERRY L. BACA
12504 Setting Sun
El Paso, TX 79938



for Karen Higashi

DATED: APR 12 2007